

SDD:RMT/DKK
F.#2007R01968

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

STIPULATION AND ORDER

- against -

Cr. No. 8-823 (S-1) (NGG)

BRYANT NEAL VINAS,

Defendant.

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IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys and ORDERED by the Court, pursuant to Federal Rule of Criminal Procedure 16(d), that:

1. Any and all material provided to the defendant BRYANT NEAL VINAS (the "defendant") by the government in the context of sentencing in the above-captioned case ("Sentencing Material"), and any and all copies, notes, transcripts, documents or other information derived or prepared from the Sentencing Material, may be used by the defendant and defense counsel for any purpose consistent with this order in furtherance of the representation of the defendant in connection with the above-captioned indictment;

2. Any and all Sentencing Material provided to the defendant by the government and any copies, notes, transcripts, documents or other information derived or prepared from the Sentencing Material shall not be further disseminated by the

defendant or defense counsel to any individuals, organizations or other entities, other than members of the defense team, including legal staff of and expert witnesses retained by defense counsel, who have signed this Stipulation and Order, without further order of the Court;

3. Each of the individuals to whom disclosure is authorized in paragraph 2, that is, members of the defense team, including legal staff of and expert witnesses retained by defense counsel, who have signed this Stipulation and Order, shall be provided a copy of this Stipulation and Order and will be advised that he or she shall not further disseminate any portion of the Sentencing Material or any copies, notes, transcripts, documents or other information derived or prepared from the Sentencing Material except in conformity with this Stipulation and Order;

4. Where the defendant and/or defense counsel wishes to disclose any portion of the Sentencing Material or any copies, notes, transcripts, documents or other information derived or prepared from the Sentencing Material to any individual to whom disclosure is not authorized by paragraph 2, defense counsel must provide advance notice to the government and make application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated disclosure so as to permit briefing and argument on the propriety of such disclosure;

5. None of the Sentencing Material nor any copies, notes, transcripts, documents or other information derived or prepared from the Sentencing Material shall be disseminated to, or discussed with, the media in any form. Nothing in this Stipulation and Order prohibits the media from obtaining copies of any items that become public exhibits at any conference, hearing, trial or other proceeding; where the defendant and/or defense counsel wishes to refer to or attach any portion of the Sentencing Material in public filings made with the Court, defense counsel must provide advance notice to the government and make application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated disclosure so as to permit briefing and argument on the propriety of such disclosure, except that the requirement of advance notice does not apply when all documents referring to, attaching or consisting of Sentencing Material are filed under seal;

6. Nothing in this Stipulation and Order in any way releases counsel for the government or defense counsel from the obligations of the "Free Press Fair Trial Directives" of Local Rule 23.1 of the Local Criminal Rules of the Eastern District of New York;

7. Nothing in this Stipulation and Order shall preclude the government from seeking a further protective order pursuant to Rule 16(d) as to particular items of Sentencing Material;

8. If the defendant obtains substitute counsel, the undersigned defense counsel will not transfer any portion of the Sentencing Material or any copies, notes, transcripts, documents or other information derived or prepared from the Sentencing Material unless and until substitute counsel enters into this Stipulation and Order;

9. The defendant and defense counsel will return to the government the Sentencing Material and all copies thereof, whether in the possession of the defendant, defense counsel or the defense team, including members of the legal staff of and expert witnesses retained by defense counsel, who have signed this Stipulation and Order, at the conclusion of any trial of the defendant and any direct appeal or timely habeas petition in this matter; and

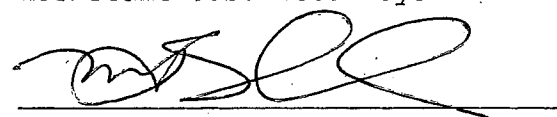
10. Any violation of this Stipulation and Order
(a) will require the immediate return to the United States of the
Sentencing Material and all copies thereof, and (b) may result in
contempt of Court.

Dated: Brooklyn, New York
January 24, 2017

ROBERT L. CAPERS
United States Attorney
Eastern District of New York

By: 

Richard M. Tucker
Douglas M. Pravda
David K. Kessler
Assistant U.S. Attorneys


Michael Bachrach, Esq.
Attorney for BRYANT NEAL VINAS

SO ORDERED.


Steve Zissou, Esq.

THE HONORABLE NICHOLAS G. GARAUFIS
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK